

# **Town Board Minutes**

## **Meeting No. 1**

### **Regular Meeting**

**January 3, 2005**

An Organizational and Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at Lancaster, New York on the 3<sup>rd</sup> day of January 2005 at 8:00 P.M. and there were

**PRESENT:** DANIEL AMATURA, COUNCIL MEMBER  
MARK MONTOUR, COUNCIL MEMBER  
RONALD RUFFINO, COUNCIL MEMBER  
DONNA STEMPIAK, COUNCIL MEMBER  
ROBERT GIZA, SUPERVISOR

**ABSENT:** NONE

**ALSO PRESENT:** JOHANNA COLEMAN, TOWN CLERK  
ROBERT LABENSKI, TOWN ENGINEER  
RICHARD SHERWOOD, TOWN ATTORNEY  
LEONARD CAMPISANO, ASSISTANT BUILDING INSPECTOR  
CHRISTINE FUSCO, ASSESSOR  
GARY STOLDT, POLICE CHIEF

**PERSONS ADDRESSING TOWN BOARD:**

**Chowaniec, Lee**, 93 Northwood Drive, spoke to the Town Board on the following matter:

- Request the Town require a traffic study be prepared for the proposed coffee/baked goods restaurant at William & Aurora Streets

**Korez, Richard**, 4946 William Street, spoke to the Town Board on the following matters:

- Read from the Code of the Town of Lancaster regarding parking regulations.
- Alleges violations of a site plan by a local business.

**Symer, Donald**, 610 Columbia Avenue, spoke to the Town Board on the following matter:

- Expressed opposition to rezone of property at 5692 Broadway.

**PRESENTATION OF ORGANIZATIONAL PREFILED RESOLUTIONS BY**

**SUPERVISOR GIZA:**

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER STEMPNIAK, TO WIT:

**WHEREAS**, the Supervisor has requested that the Regular Meeting of the Town Board originally scheduled to be held February 7, 2005 be rescheduled to February 8, 2005, and

**WHEREAS**, the Association of Towns meeting in New York City conflicts with the regular meeting of the Town Board scheduled for February 22, 2005.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that Rule 1 of the Rules of Order of the Town of Lancaster, as adopted by the Town Board on January 1, 2004 be amended to provide for replacement of the regular meeting originally scheduled to be held on February 7, 2005 with a meeting to be held February 8, 2005, and

**BE IT FURTHER**

**RESOLVED**, that Rule 1 of the Rules of order of the Town of Lancaster, as adopted by the Town Board on January 1, 2004 be amended to provide for the replacement of the regular meeting originally scheduled to be held on February 22, 2005 with a meeting to be held on February 28, 2005, said replacement meetings to be held at the Lancaster Town Hall at 8:00 P.M., the usual time and place for regular Town Board meetings.

The question of the adoption of the following resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

January 3, 2005

File: Rannual.odd (P1)

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER RUFFINO, TO WIT:

**RESOLVED**, that the following appointments be and hereby are made by the  
Town Board of the Town of Lancaster for the term indicated:

**SZYMANSKI, MELVIN**, be and is hereby appointed Member, Planning Board, for the  
period of January 1, 2005 to December 31, 2011.

**THILL, ROBERT**, be and is hereby appointed Member, Zoning Board of Appeals, for  
the period January 1, 2005 to December 31, 2009

**KEYSA, STANLEY JAY**, be and is hereby appointed Chairman, Planning Board, for  
the period of January 1, 2005 to December 31, 2005.

**LEHRBACH, JEFFREY**, be and is hereby appointed Chairman, Zoning Board of  
Appeals, for the period of January 1, 2005 to December 31, 2005.

**BRUSO, JOHN**, be and is hereby appointed Member, Assessment Review Board, for the  
period of October 1, 2004 to September 30, 2009.

The question of the adoption of the following resolution was duly put to a vote on roll call  
which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

January 3, 2005

File: Rannual.odd (P2)

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER RUFFINO, TO WIT:

**RESOLVED**, by the Town Board of the Town of Lancaster as follows:

**SECTION 1:**

That those Town elected and appointed officials whose expenses have been allowed in the 2005 Budget, be and hereby are authorized to attend the 2005 Annual Meeting of the Association of Towns of the State of New York, to be held in New York City on February 20<sup>th</sup>, 21<sup>st</sup>, 22<sup>nd</sup> & 23<sup>rd</sup>, 2005, with reimbursement for actual and necessary expenses, not to exceed the sum of \$1,300 per individual attending.

**SECTION 2:**

That **SUPERVISOR ROBERT H. GIZA** be and hereby is appointed as a delegate to the Annual Meeting of the Association of Towns of the State of New York, to be held in New York City on February 20<sup>th</sup>, 21<sup>st</sup>, 22<sup>nd</sup> & 23<sup>rd</sup>, 2005, and that Council Member Ruffino and Council Member Stempniak be and are hereby appointed alternate delegates, in order, to the aforesaid meeting.

**SECTION 3:**

That during the year 2005, Town department heads or officials whose expenses have been allowed in the 2005 Budget are hereby authorized to attend in Allegheny, Cattaraugus, Chautauqua, Erie, Genesee, Monroe, Niagara and Wyoming Counties, the regular luncheon/dinner meetings of the various official organizations relating to their official duties as Town department heads or officials, and that the necessary expenses incurred in traveling to or from said meeting and in addition thereto, the cost of such meals, not to exceed the sum of \$30 per luncheon or dinner, and membership fees, are hereby determined a legitimate Town expense for which such officials shall be reimbursed.

**Assessor:**

Erie County Assessors' Organization  
Institute of Assessing Officers  
International Association of Assessing Officers  
New York State Assessors' Association  
New York State Assessors' Association Conference

**Assessor - Real Property Appraiser:**

Erie County Assessor's Association  
New York State Assessors' Association

**Building Inspector:**

Building Official and Code Administration  
Erie County Fire Inspectors' Association  
Finger Lakes Building Inspectors' Seminar  
National Fire Protection Association  
New York State Building Officials' Conference  
Niagara Frontier Building Inspectors' Association  
Niagara Frontier Building Inspectors' Seminar  
Niagara Frontier Building Inspectors' Educational Conference Executive Board  
Niagara Frontier Building Inspectors' Executive Board  
Western New York Fire Marshall Association  
State Emergency Management School  
Local/County Emergency Management School

**Building Inspector - Assistants:**

Erie County Fire Inspectors' Association  
New York State Fire Academy  
Niagara Frontier Building Inspectors' Association  
Niagara Frontier Building Inspectors' Seminar  
State Emergency Management School  
Western New York Fire Marshalls' Association  
Local/County Emergency Management School

**Court - Clerks:**

Court Clerks' Association  
New York State Magistrates Clerks' Association  
New York State Association of Towns (2)

**Court - Justices:**

Erie County Magistrates' Association  
Judges and Police Executives of Erie County  
New York State Magistrates' Association  
New York State Association of Towns

**Director of Administration and Finance:**

New York State Government Finance Officers' Association

**Engineer:**

Town Engineers Association of Erie County  
Local APWA  
Western NY Utilities Association  
Niagara Frontier Utility Contractors' Association  
Erie County Stormwater Coalition  
Board of Managers, Erie County Sewer District No. 4

**Fire Inspector:**

Erie county Fire Inspectors' Association  
Western New York Fire Marshalls' Association  
Niagara Frontier Building Inspectors' Association  
Niagara Frontier Building Inspectors' Seminar  
NFPA - Western New York Chapter  
Finger Lakes Seminar  
State Emergency Management Schools  
Local/County Emergency Management Schools

**Highway Superintendent:**

Erie County Association of Town Superintendents of Highways  
New York State Association of Town Superintendents of Highways  
Cornell Local Roads Program For Highway Superintendents

**Historian:**

Buffalo and Erie County Historical Society  
Erie County Federation of Historical Societies  
New York State Historical Association  
Town Historians' Association of Western New York

**Lancaster Industrial Development Agency:**

Depcw-Elma-Lancaster Chamber of Commerce  
Industrial Development Conferences, as necessary  
Industrial Forum of Eastern Erie County and Steering Committee meetings

**Police Chief:**

Erie County Association of Chiefs of Police  
Judges and Police Executives of Erie County  
New York State Association of Chiefs of Police  
W.N.Y. Association of Chiefs of Police  
Mid Atlantic Great Lakes Organized Crime Law Enforcement Network  
Conference  
100 Club of Buffalo  
International Association of Chiefs of Police in Western New York

**Senior Data Processing Clerk in Tax Office:**

Association of Erie County Governments  
Association of Receivers and Collectors of Taxes, Erie County  
Erie County Assessors' Association  
New York State Association of Tax Receivers and Collectors

**Supervisor and Council Members:**

American Society for Public Administration  
Association of Erie County Governments  
Lancaster Area Chamber of Commerce  
Ellicott Creek Watershed Committee  
Erie County Disaster Preparedness Advisory Board  
Erie County Emergency Medical Services Advisory Board  
Erie County Emergency Services Steering Committee  
Erie County Fire Services Council  
Erie County Housing Steering Committee and other community  
development related meetings  
Erie County Reval Consortium  
Erie County Sewer District No. 4  
Industrial Forum of Eastern Erie County  
Industrial Development conferences as necessary  
Lancaster Opera House, Inc.  
New York State Association of Towns  
New York State Association of Large Towns  
New York State Supervisors' and Legislators' Association  
NFTA Technical Advisory Committee on GBIA Terminal Master Plan  
NFTC Long Range Transportation Plan Subcommittee  
Other Intermunicipal conferences in Erie County as necessary  
Upstate Municipal Risk Association  
Erie County Association of Town Superintendents of Highways  
New York State Association of Town Superintendents of Highways

**Town Clerk:**

Association of Erie County Governments  
Association of Receivers and Collectors of Taxes, Erie County  
Association of Records Managers and Administrators, Inc.  
Erie County Assessors' Association  
Town Clerks' Association of Erie County  
Town Clerks' Association of New York State  
New York Association of Local Government Record Officers  
New York Association of Tax Receivers and Collectors  
New York State Association of Towns

**Deputy Town Clerk:**

Association of Records Managers and Administrators, Inc.  
Town Clerks' Association of Erie County  
Town Clerks' Association of New York State  
New York Association of Local Government Record Officers

**Youth Bureau - Executive Director/Chairman:**

Erie County Comprehensive Planning committee (Youth)  
New York State Association of Youth Bureaus and Youth Boards  
Western New York Association of Youth Bureaus and Youth Boards

**SECTION 4:**

That all conferences, seminars, lectures and meetings not falling within a pattern of regular attendance and not exceeding \$400 in reimbursable expenses, including mileage reimbursement, may be approved for attendance by the Supervisor pursuant to Section 77-b of the General Municipal Law. Conferences, seminars, lectures and meetings exceeding \$400 shall require the approval of the Town Board.

**SECTION 5:**

That during the year 2005, all Town officials and employees be and hereby are authorized to be paid standard mileage per mile for the use of their personal automobiles on all Town business at a rate equal to the Internal Revenue Service Guideline Regulations for 2005 mileage reimbursement.

**SECTION 6:**

That the Building Inspector be and is hereby authorized to attend the Finger Lakes Seminar and the New York State Building Inspectors' Associations code course during the year 2005 with reimbursement of actual and necessary expenses hereby authorized upon presentation of receipts.

**SECTION 7:**

That two (2) Assistant Building Inspectors be and are hereby authorized to attend the Finger Lakes Seminar and the New York State Building Inspectors' Seminar and the Montour Falls New York State Fire Academy during the year 2005 with reimbursement of actual and necessary expenses hereby authorized upon presentation of receipts.

**SECTION 8:**

That the Assessor be and is hereby authorized to attend the Cornell University Extension Service during the year 2005 with reimbursement of actual and necessary expenses hereby authorized upon presentation of receipts.

**SECTION 9:**

That staff employees of the Parks, Senior Facility, and Buildings & Grounds Department whose expenses have been allowed in the 2005 Budget, be and are hereby authorized to attend the 2005 Annual Meeting of the Health, Physical Education and Recreation Conference of the State of New York with reimbursement of actual and necessary expenses hereby authorized upon presentation of receipts.

**SECTION 10:**

That the Supervisor and one Town Board Member be and is hereby authorized to attend the 2005 Annual National Association of Towns Conference in Washington, D.C. with reimbursement of actual and necessary expenses hereby authorized upon presentation of receipts.

**SECTION 11:**

That the Town Clerk or her designee be and is hereby authorized to attend the Annual Conference of the New York State Town Clerks' Association, Inc., the Annual Conference of the New York State Association of Local Government Records Officers and the Annual Seminar for Tax Collection Officers during the year 2005 with reimbursement of actual and necessary expenses hereby authorized upon presentation of receipts with reimbursement of actual and necessary expenses hereby authorized upon presentation of receipts.



**SECTION 12:**

That the Police Chief be and is hereby authorized to attend the Annual Conference of the Middle Atlantic-Great Lakes Organized Crime Law Enforcement Network (MAGLOCLN) with reimbursement of actual and necessary expenses hereby authorized upon presentation of receipts.

**SECTION 13:**

That the Highway Superintendent be and is hereby authorized to attend all Association of Towns Highway Schools during the year 2005 with reimbursement of actual and necessary expenses hereby authorized upon presentation of receipts.

**SECTION 14:**

That the Director of Administration and Finance be and is hereby authorized to attend the New York State-GFOA One Day Training Seminar and Annual Conference and to attend the Annual Town Finance and Management School Cosponsored by the Assoc. of Towns of NYS and the Office of the State Comptroller during the year 2005 with reimbursement of actual and necessary expenses hereby authorized upon presentation of receipts.

**SECTION 15:**

That the General Crew Chief of the Parks, Senior Facility and Buildings & Grounds Department and two members of the Recreation Commission be and are hereby authorized to attend the New York State Recreation and Parks Society and New York State Association of Continuing Community Educators' Annual Conference with reimbursement of actual and necessary expenses hereby authorized upon presentation of receipts.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

January 3, 2005

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCIL  
MEMBER STEMPIAK, TO WIT:

*Amended  
4/18/05*

**RESOLVED**, that the following Schedule of Salaries and hourly rates be and hereby is adopted for the CSEA White Collar Union employees for the year 2005: (Amounts represent annual salaries unless otherwise specified)

**TO BE PAID BI-WEEKLY**

**ASSESSOR:**

Clerk Typist (Herrmann)	33,677.00
Real Property Appraiser (Juliano)	42,541.00

**BUILDING AND ZONING:**

Assistant Building Inspector (Campisano/Pease)	42,324.00 each
Building/Zoning Clerk (Garcia/Maciejewski)	33,677.00 each

**COURT:**

Clerk Typist (Kane/Cox)	33,677.00 each
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**ENGINEER:**

Construction Inspector (Smith)	42,324.00
Supervising Clerk (Augustine)	38,232.00

**HIGHWAY:**

Crew Chief (Cacciotti)	26.64 per hour
Clerk Typist (Barbaro)	33,677.00
Working Crew Chief (Kocialski)	26.64 per hour

**PARKS, RECREATION, FORESTRY AND BUILDINGS:**

Clerk Typist (Gryczynsk/Jablonski)	33,677.00 each
Laborer Aides (Ciccarelli/Marino/Everett/ Stanck/Warrington)	15.42 per hour each
Laborers (Gangloff/Giroux/Lubera/Perillo/ Hoffmann/Dudas/Zimmerman)	20.14 per hour each
Recreation Attendant, F.T. (Piccolo)	33,677.00

**POLICE:**

Clerk Stenographer (Plewik)	38,232.00
Clerk Typist (Kostecky)	33,677.00

**SUPERVISOR:**

Senior Account Clerk (Palano)	40,307.00
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**TOWN CLERK:**

Clerk Typist (Nowak/Blank)	33,677.00 each
Senior Data Processing Clerk (Stock)	43,653.00

**YOUTH BUREAU:**

Program Coordinator (Harrington)	40,307.00
Youth Counselors (Candino/Schanne)	40,307.00 each
Youth Court Coordinator (Muench)	33,227.00
Clerk Typist (Graber)	33,677.00

and,

**BE IT FURTHER**

**RESOLVED**, that all types of compensation, where applicable, be paid according to the terms of the agreement between the Town of Lancaster and the CSEA White Collar Unit.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

January 3, 2005

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER AMATURA, TO WIT:

*Amended  
4/18/05*

**RESOLVED**, that the following Schedule of Salaries be and is hereby adopted  
for the year 2005: (amounts represent annual salaries unless otherwise specified)

**TO BE PAID BI-WEEKLY**

**ASSESSOR:**

Assessor (Fusco) 56,210.00

**BINGO:**

Bingo Inspector, P.T. (Crinzi - includes mileage) 62.50 per insp.  
Bingo Inspector, P.T. (Wilkosz/Dicbel/Weremblewski/  
Robinson - includes mileage) 57.00 per insp.  
Games of Chance Auditor, P.T. (O'Rourke - includes mileage) 62.50 per audit

**BUDGET OFFICER: (Giza)**

6,885.00

**BUILDING AND ZONING:**

Building Inspector (Sinume) 54,572.00  
Building Inspector (Simme) (Village) 7,000.00  
Clerk, P.T. (Flanagan) 14.64 per hour  
Fire Inspector, P.T. (Revelas/Bistoff) 14.19 per hour each

**COURT:**

Clerk to Town Justice (Filipowicz/Feldmann) 33,677.00 each  
Clerk P.T. (Kane) 4,558.00  
Court Officer P.T. (Dehn) 12.50 per hour  
Town Justices (Dwan/Kelleher) 35,508.00 each

**COUNCIL MEMBERS: (Amatura/Montour/Ruffino/Stempniak)**

16,408.00 each

**DIRECTOR OF ADMINISTRATION AND FINANCE :**

Director of Administration and Finance (Brown) 66,332.00

**DISASTER PREPAREDNESS:**

Natural Disaster Services Coordinator P.T. (MacPeck) 15,000.00

**DOG CONTROL:**

Dog Control Officer (Horn) 38,969.00  
Dog Control Officers, P.T. (Muench/Sitek/Pacanowski/Szatkowski)  
Full is \$16.05 per hour  
75% 0 - 1040 hours - cumulative Town service 12.03 per hour  
80% 1041 - 2080 hours - cumulative Town service 12.84 per hour  
85% 2081 - 3120 hours - cumulative Town service 13.64 per hour  
90% 3121 - 4160 hours - cumulative Town service 14.44 per hour  
95% 4161 - 5200 hours - cumulative Town service 15.24 per hour  
100% greater than 5200 hours - cumulative Town service 16.05 per hour

**ENGINEERING:**

Town Engineer (Labenski)	71,337.00
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**HIGHWAY ADMINISTRATION:**

Highway Superintendent (Reese)	59,163.00
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**PARKS, RECREATION, FORESTRY, AND BUILDINGS:**

General Crew Chief (McCracken)	55,061.00
Senior Clerk P.T. - Property Manager (McCracken)	5,200.00
Lifeguard P.T. (Fendzlau)	13.75 per hour
Recreation Attendant P.T. - Sr. Center (Arcese)	10.50 per hour
Recreation Attendant P.T. - Sr. Center (Beckler)	9.25 per hour
Recreation Attendant P.T. - Sr. Center (Korzeniewski)	9.50 per hour
Recreation Attendant P.T. - (O'Rourke/Giglia)	8.60 per hour ea.
Recreation Attendant P.T. - Arts Director (Pesany-Au)	10.75 per hour
Recreation Attendant P.T. - Arts Instructor (Heidle)	11.75 per hour
Recreation Attendant P.T. - Dance Instructor (Dela Rosa)	10.00 per hour
Recreation Attendant P.T. - Hot Meals Operator (Ciccarelli)	9.50 per hour
Recreation Attendant P.T. - Hot Meals Director (Tanski)	13.75 per hour
Recreation Attendant P.T. - Ceramics Instructor (Weiss)	9.25 per hour
Recreation Supervisor P.T. - Night (Maras)	8.75 per hour
Recreation Supervisor P.T. - Night (Dobrowolski)	7.75 per hour
Recreation Supervisor P.T. - Sr. Center (Bartz)	18.50 per hour
Van Driver P.T. - Sr. Citizen (Bastian/Dobrowolski/Dennis/ Metzger/Zbock/Iderer)	7.25 per hour ea.

**POLICE:**

Police Captains (Murphy/Zuppelli)	75,299.00
Police Chief (Stoldt)	90,032.00
School Crossing Guard, P.T. (Meyers/Gaskin)	8.90 per hour ea.
Senior Clerk Typist (Freund)	42,659.00

**SUPERVISOR:**

Senior Clerk Stenographer (Greco)	44,318.00
Supervisor (Giza)	<del>61,273.00</del> 63,111
Assistant to the Supervisor (Fialkiewicz)	40,307.00
Clerk P.T. (Campanelli)	12.46 per hour
Secretary to the Supervisor (Hunt)	33,677.00

**TOWN ATTORNEY:**

Town Attorney (Sherwood)	59,093.00
Deputy Town Attorney P.T. (Dudziak)	14,500.00
Deputy Town Attorney P.T. (Sherwood)	6,000.00
Town Prosecutor P.T. (LoCicero)	12,723.00
Clerk Typist (Brehm)	33,677.00
Clerk P.T. (Cook)	12.46 per hour

**TOWN CLERK:**

Town Clerk (Coleman)	60,313.00
Records Management Officer (Coleman)	5,540.00
Clerk P.T. (Quinn/Morrissey)	12.46 per hour ea.
Deputy Town Clerk (Allein)	33,677.00
Deputy Town Clerk (Perrello)	43,653.00
Deputy Receiver of Taxes (Wehner)	33,677.00

**YOUTH BUREAU:**

Executive Director (Trojanowsky)	55,956.00
Program Coordinator (Youth Board) FT Temp. (McDonald)	16.61 per hour

**TO BE PAID SEMI-ANNUALLY**

Planning Board Chairperson	3,461.00
Planning Board Members (6)	2,704.00 each
Clerk Typist P.T. Planning Board (Nowak)	80.00 per meeting
Registrar of Vital Statistics (Coleman)	900.00
Zoning Board of Appeals Chairperson	1,717.00
Zoning Board of Appeals Members (6)	1,337.00 each
Zoning Board of Appeals Clerk (Coleman)	2,792.00

**TO BE PAID ON A PER DIEM BASIS**

Assessment Review Board Chairperson	195.00 per day
Assessment Review Board Members (5)	155.00 per day ea.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIK	VOTED YES
SUPERVISOR GIZA	VOTED YES

January 3, 2005

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WITO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER MONTOUR, TO WIT:

**RESOLVED**, that the following Schedule of Salaries be and hereby is approved  
for the members of the Cayuga Club for the year 2005:

**TO BE PAID BI-WEEKLY**

Lieutenants (Airey/Carroll/Gill/Myers, E./Rozler/Sugg)	65,884.00 each
Lieutenant D.A.R.E. Officer (Domino)	67,884.00
Detectives (Lynch/Rinow/Robak/VanSplunder/Oleksy)	59,880.00 each
School Resource Officer (Kerl)	59,880.00
Police Officers (21)	56,380.00 each

Police Officer on step (9) - Full is \$56,380.00

Batt - appointed 7/14/03

for period 01/01/05 to 01/13/05	90%	50,742.00
for period 01/14/05 to 07/13/05	95%	53,561.00
for period 07/14/05 to 12/31/05	100%	56,380.00

Clark/Gunsher/Gummo/Kotlak/Lewandowski/Smith - appointed 7/21/04

for period 01/01/05 to 01/20/05	90%	50,742.00
for period 01/21/05 to 07/20/05	95%	53,561.00
for period 07/21/05 to 12/31/05	100%	56,380.00

Lleras - appointed 8/2/04

for period 01/01/05 to 02/01/05		45,481.00
for period 02/02/05 to 08/01/05	85%	47,923.00
for period 08/02/05 to 12/31/05	90%	50,742.00

Greco - appointed 9/9/04

for period 01/01/05 to 03/08/05		45,481.00
for period 03/09/05 to 09/08/05	85%	47,923.00
for period 09/09/05 to 12/31/05	90%	50,742.00

and,

**BE IT FURTHER**

**RESOLVED**, that all other types of compensation, where applicable, be paid according to  
the terms of an agreement between the Town of Lancaster and the Cayuga Club.

The question of the adoption of the following resolution was duly put to a vote on roll call  
which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

January 3, 2005

THE FOLLOWING RESOLUTION WAS OFFERED BY  
SUPERVISOR GIZA , WHO MOVED ITS  
ADOPTION, SECONDED BY COUNCIL  
MEMBER RUFFINO, TO WIT:

*Approved  
4/18/05*

**RESOLVED**, that the pay rates for the following positions for members of the CSEA Blue Collar employees be and hereby are authorized for the year 2005:

**TO BE PAID BI-WEEKLY**

**HIGHWAY DEPARTMENT:**

Heavy Equipment Operator	21.75 per hour
Bernacki/Snyder/Ludwig	
Light Equipment Operator	21.31 per hour
Drewniak/Franger/Latello/Loos/Nichter/ Phillips/Gallagher/Wiepert	
Laborer	20.72 per hour
Brzyski/DeBergalis/Dundon/Falletta/Lume/ McKenzie/Paoletta/Juliano	
Automotive Mechanic	22.25 per hour
Pempsell	
Maintenance Worker	21.31 per hour
Gulliford/Weremblewski	
Laborer-Highway	22.25 per hour
Jackson	
Automotive Mechanic Helper	21.95 per hour
Rogacki	

and,

**BE IT FURTHER**

**RESOLVED**, that all other types of compensation, where applicable, be paid according to the terms of an agreement between the Town of Lancaster and the CSEA, Local Highway Unit #815,

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

January 3, 2005



THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCIL  
MEMBER STEMPIAK. TO WIT:

**RESOLVED**, that the pay rates for the following positions for members of the Lancaster  
Dispatcher Employee Association be and hereby are authorized for the year 2005: (amounts represent  
annual salaries)

**TO BE PAID BI-WEEKLY**

**POLICE DEPARTMENT:**

**Public Safety Dispatchers: 42,386.00 each**

Balk, Jennifer A.  
Brooks, Sharon M.  
Burns, Kathleen  
Cohan, Sharon A.  
Firestone, Jane  
Kerl, Carolanne  
Malone, Tammie  
McGloin, Patricia  
Pawlikowski, Jean  
Stewart, Angela

and,

**BE IT FURTHER**

**RESOLVED**, that all other types of compensation, where applicable, be paid according  
to the terms of an agreement between the Town of Lancaster and the Lancaster Dispatcher Employee  
Association.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call  
which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

January 3, 2005

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO MOVED  
ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER AMATURA, TO WIT:

**WHEREAS**, the services of the Election Inspectors of the Town of Lancaster  
will be needed for conducting the election process of the Town of Lancaster during the year 2005.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that during the year 2005, the Election Inspectors of the Town of  
Lancaster be paid as follows:

Primary Day (Fall)	(polls open 15 hours) - \$130 each
Election Day	(polls open 15 hours) - \$130 each
Election Inspectors' Training School Attendance -	\$ 25.38 each

and,

**BE IT FURTHER**

**RESOLVED**, that the Chairman of the Inspectors at each Polling Place be paid  
an additional \$36 for the Fall Primary and Election Days.

The question of the adoption of the foregoing resolution was duly put to a vote on  
roll call which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

January 3, 2005

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER RUFFINO, TO WIT:

**RESOLVED**, that pursuant to a resolution adopted by the Town Board on July 7, 1997, extending certain holiday benefits of the CSEA White Collar contract to all non-bargaining employees whose employment and benefits are governed by the Personnel Rules for Employees in the Service of the Town of Lancaster, the following calendar dates shall be observed as holidays during the year 2005 for non-bargaining employees:

January 1	New Year's Day (Observed December 31, 2004)
January 17	Dr. Martin Luther King, Jr. Day
February 21	Presidents' Day
March 25	Good Friday
May 30	Memorial Day
July 4	Independence Day
September 5	Labor Day
October 10	Columbus Day
November 8	Election Day
November 11	Veterans' Day
November 24	Thanksgiving Day
November 25	Day After Thanksgiving
December 24	½ Day Before Christmas Day (12:30 P.M.-5:00 P.M. Observed December 23, 2005)
December 25	Christmas Day (Observed December 26, 2005)
December 31	½ Day Before New Year's Day (12:30 P.M.-5:00 P.M. Observed December 30, 2005)

and,

**BE IT FURTHER**

**RESOLVED**, that pursuant to Article IV, "Holidays", of an agreement between the Town of Lancaster and the Town of Lancaster Highway Unit, Local #815, the following calendar dates shall be observed as holidays during the year 2005:

January 1	New Year's Day (Observed December 31, 2004)
February 12	Lincoln's Birthday
February 22	Washington's Birthday
March 25	Good Friday
May 30	Memorial Day
July 4	Independence Day
September 5	Labor Day
October 10	Columbus Day
November 8	Election Day
November 11	Veterans' Day
November 24	Thanksgiving Day
November 25	Day After Thanksgiving
December 24	½ Day Before Christmas Day (12:30 P.M.-5:00 P.M. Observed December 23, 2005)
December 25	Christmas Day (Observed December 26, 2005)
December 31	½ Day Before New Year's Day (12:30 P.M.-5:00 P.M. Observed December 30, 2005)

and,

**BE IT FURTHER**

**RESOLVED**, that pursuant to Section 8.01, "Holidays and Holiday Assignments", of an agreement between the Town of Lancaster and the Town of Lancaster Police Benevolent Association, also known as the Cayuga Club, the following dates shall be observed as holidays during the year 2005:

January 1	New Year's Day (Observed December 31, 2004)
January 17	Dr. Martin Luther King Jr. Day
February 12	Lincoln's Birthday
February 22	Washington's Birthday
March 25	Good Friday
March 27	Easter Sunday
May 30	Memorial Day
July 4	Independence Day
September 5	Labor Day
October 10	Columbus Day
November 8	Election Day
November 11	Veterans' Day
November 24	Thanksgiving Day
December 25	Christmas Day

and,

**BE IT FURTHER**

**RESOLVED**, that pursuant to Article IV, "Holidays", of an agreement between the Town of Lancaster and the Town of Lancaster White Collar Unit, Local #815, the following calendar dates shall be observed as holidays during the year 2005:

January 1	New Year's Day (Observed December 31, 2004)
January 17	Dr. Martin Luther King, Jr. Day
February 21	Presidents' Day
March 25	Good Friday
May 30	Memorial Day
July 4	Independence Day
September 5	Labor Day
October 10	Columbus Day
November 8	Election Day
November 11	Veterans' Day
November 24	Thanksgiving Day
November 25	Day After Thanksgiving
December 24	½ Day Before Christmas Day (12:30 P.M.-5:00 P.M. Observed December 23, 2005)
December 25	Christmas Day (Observed December 26, 2005)
December 31	½ Day Before New Year's Day (12:30 P.M.-5:00 P.M. Observed December 30, 2005)

and,

**BE IT FURTHER**

**RESOLVED**, that pursuant to Section 13.01 "Holidays", of an agreement between the Town of Lancaster and the Lancaster Dispatcher Employee Association, the following calendar dates shall be observed as holidays during the year 2005:

January 1	New Year's Day (Observed December 31, 2004)
January 17	Dr. Martin Luther King, Jr. Day
February 21	Patriot's Day (a/k/a Presidents' Day)
March 25	Good Friday
May 30	Memorial Day
July 4	Independence Day
September 5	Labor Day
October 10	Columbus Day
November 8	Election Day
November 11	Veterans' Day
November 24	Thanksgiving Day
November 25	Day After Thanksgiving
December 24	½ Day Before Christmas Day (12:30 P.M.-5:00 P.M. Observed December 23, 2005)
December 25	Christmas Day (Observed December 26, 2005)
December 31	½ Day Before New Year's Day (12:30 P.M.-5:00 P.M. Observed December 30, 2005)

and,

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

January 3, 2005

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCIL  
MEMBER STEMPIAK, TO WIT:

**RESOLVED**, that the Town Board wishes to provide for the following celebrations in  
the 2005 Budget:

**SECTION 1:** The sum of \$1,100.00 among the Veterans organizations within the Town  
of Lancaster and allocated as follows:

Not to exceed \$350.00 - Lancaster Post, V.F.W.  
Not to exceed \$250.00 - Twin Village Post, V.F.W.  
Not to exceed \$250.00 - Depew Post, American Legion  
Not to exceed \$150.00 - Korean Era Chapter 203  
Not to exceed \$100.00 - American Ex-Prisoners of War

provided that such expenses as apportioned shall be paid upon properly itemized and audited vouchers  
which shall be received during 2005.

**SECTION 2:** The sum of \$2,500.00 for the purpose of defraying the expenses of the  
proper observance of Independence Day sponsored by the Village of Lancaster.

**SECTION 3:** The sum of \$2,500.00 for the purpose of defraying the expenses  
connected with the Taste of Lancaster sponsored by the Village of Lancaster.

The question of the adoption of the foregoing resolution was duly put to a vote on roll  
call which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

January 3, 2005

**PUBLIC HEARING SCHEDULED FOR 8:35 P.M.:**

At 8:35 P.M., the Town Board held a Public Hearing to hear all interested persons upon a proposed Local Law of the Year 2005 entitled "Floodplain Map revision".

The affidavits of publication of this Public Hearing are on file and a copy of the Legal Notice has been posted.

NAME	ADDRESS	Proponent/ Opponent/ Comments/Questions
Donald Symer	610 Columbia Avenue	Questions

ON MOTION BY COUNCIL MEMBER MONTGOMERY, AND SECONDED BY COUNCIL MEMBER AMATURA, FOR ADJOURNMENT OF THE PUBLIC HEARING, on roll, which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTGOMERY	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

The Public Hearing was adjourned at 8:39 P.M.

The Town Board, later in the meeting, adopted a resolution, hereinafter spread at length in these minutes, taking favorable action upon this matter.

January 3, 2005

**PRESENTATION OF PREFILED RESOLUTIONS BY COUNCIL MEMBERS:**

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER RUFFINO, TO WIT:

**RESOLVED**, that the minutes of the Joint Meeting of the Planning Board and the Town Board held December 20, 2004 and the Regular Meeting of the Town Board held December 20, 2004 be and are hereby approved.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

January 3, 2005

File: RMIN (P2)



THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER AMATURA, TO WIT:

**WHEREAS,** Grantmakers Advantage, Inc., a grant writing/consultant firm, has furnished a Proposal to the Town of Lancaster, which Proposal sets forth the grant writing and consulting services to be provided, and

**WHEREAS,** the Town Board has reviewed the beforementioned Proposal and deems it in the public interest to retain said firm to provide grant writing/consultant services for the year 2005 at an annual rate of \$21,000.

**NOW, THEREFORE, BE IT**

**RESOLVED,** that the Town Board of the Town of Lancaster hereby authorizes the Supervisor to retain Grantmakers Advantage, Inc., 7 Marina Park South, Buffalo, New York for the purpose of providing grant writing/consultant services to the Town of Lancaster for the year 2004 at an annual rate of \$21,000.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

January 3, 2005

File: Rgrant consultant

THE FOLLOWING RESOLUTION WAS OFFERED BY  
COUNCIL MEMBER MONTOUR, WHO MOVED ITS  
ADOPTION, SECONDED BY COUNCIL  
MEMBER RUFFINO, TO WIT:

**WHEREAS**, the County of Erie Department of Senior Services has heretofore provided a van to the Town of Lancaster for the purpose of providing transportation to senior citizens in the Town of Lancaster, and

**WHEREAS**, it is necessary to enter into a contractual arrangement with the County of Erie in order to continue providing said services to seniors, and

**WHEREAS**, the Town Attorney has reviewed the proposed contract with the County of Erie.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Town Board of the Town of Lancaster hereby authorizes the Supervisor to execute the Agreement with the County of Erie Department of Senior Services for the year 2005.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

January 3, 2005

File: rsrvan04

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER MONTOUR, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER STEMPNIAK, TO WIT:

**WHEREAS**, the Town of Lancaster has heretofore provided a  
Nutrition Program Congregate Dining Site for the Elderly, and

**WHEREAS**, it is necessary to execute an Agreement between the  
Town of Lancaster and the County of Erie for the continuance of this program in 2005.

**NOW, THEREFORE, BE IT  
RESOLVED**, as follows:

1. That the Supervisor be and is hereby authorized to execute an Agreement  
between the Town of Lancaster and the County of Erie for the operation of a Nutrition Program  
Congregate Dining Site for the Elderly for the year 2005, and
2. That the Director of Administration and Finance be and is hereby authorized to  
sign vouchers with funds to be received by the Supervisor.

The question of the adoption of the foregoing resolution was duly put to a vote on  
roll call, which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

January 3, 2005

File: ranutritionprogram2005

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, the Bowmansville Volunteer Fire Association, Inc., by letter dated December 13, 2004 has requested the addition of a member to the membership roster of said fire association.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Town Board of the Town of Lancaster hereby confirms the following addition to the membership of the Bowmansville Volunteer Fire Association:

**ADDITION - Resident Probationary Active Member:**

Gary E. Bartella  
33 Quail Run Lane  
Lancaster, New York 14086

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

January 3, 2005

File: RFIRE (P2)

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO MOVED  
ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER STEMPIAK, TO WIT:

**WHEREAS**, the Assessor of the Town of Lancaster, by letter dated December 28, 2004, has recommended the appointment of Valerie Banach, 25 Southwest Pkwy, Lancaster, New York 14086 to the position of Clerk, Part-Time, Seasonal, in the Assessor's Office of the Town of Lancaster.

**NOW, THEREFORE, BE IT  
RESOLVED**, as follows:

**SECTION 1:** That Valerie Banach, 25 Southwest Pkwy, Lancaster, New York 14086, be and is hereby appointed to the position of Clerk, Part-Time, Seasonal, in the Office of the Assessor.

**SECTION 2:** That she be compensated at an hourly rate of \$8.50.

**SECTION 3:** That this appointment be effective January 10, 2005, with termination on or before June 10, 2005.

**SECTION 4:** That this appointment, being a temporary, seasonal position, provides no health insurance, sick days, vacation or other fringe benefits not specifically mandated for part time employees.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

January 3, 2005

file: RPERSRperstc.p.t

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCIL.  
MEMBER STEMPNIAK, TO WIT:

**WHEREAS**, a vacancy exists in the Assessor's Office due to the retirement of Nanette Hanley, and

**WHEREAS**, the Assessor of the Town of Lancaster by letter dated December 28, 2004 has recommended the appointment of James Juliano, 27 Eagle Terrace, Depew, New York to the position of Real Property Appraiser (Provisional) in the Assessor's Office.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that James Juliano, 27 Eagle Terrace, Depew, New York, be and is hereby provisionally appointed to the position of Real Property Appraiser, effective January 1, 2005 and that the salary be as set forth in the CSEA White Collar Agreement with the Town of Lancaster for said position, with full benefits, and

**BE IT FURTHER**

**RESOLVED**, that the Supervisor of the Town of Lancaster take the necessary action with the Personnel Officer of the County of Erie to accomplish the foregoing.

The question of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

January 3, 2005

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER RUFFINO, TO WIT:

**WHEREAS**, the Bowmansville Volunteer Fire Association, Inc. has petitioned the Town Board for approval in relation to the proposed borrowing to refinance its current mortgage on its Station No. 1 at 36 Main Street, Bowmansville, New York, and the proposed issuance by the volunteer fire department of an obligation, a note and a mortgage, to M & T Bank. The obligation with respect to the facility is in the maximum face amount of \$490,000, and

**WHEREAS**, an order was duly adopted by said Town Board on December 6, 2004, appointing a hearing officer and reciting the refinancing of its current mortgage on its Station No. 1 at 36 Main Street, Bowmansville, New York and setting a public hearing for December 23, 2004 at 7:00 P.M. prevailing time at its fire house at 36 Main Street, Bowmansville, New York, to hear all persons interested in the subject matter concerning the same, and

**WHEREAS**, Notice of the aforesaid public hearing was duly published in the manner and within the time prescribed by 26 USCS 147 (f) and proof of said publication has been duly presented to said Town Board, and

**WHEREAS**, said public hearing was duly held at the time and place in said Order, as aforesaid at which time all persons desiring to be heard were duly heard.

**NOW, THEREFORE, BE IT**

**RESOLVED**, said Town Board has duly considered said Petition of the Bowmansville Fire Association, Inc., and the evidence given at said public hearing and resolve that the members of the Town Board of the Town of Lancaster, Erie County, New York upon reading the Appointment of Hearing Officer executed by Robert H. Giza, Supervisor, the Notice of Public Hearing published on December 9, 2004 in the Lancaster Bee and the Report of Hearing Officer dated December 29, 2004 hereby approve the "Approval of Purchase" attached hereto and further direct that the Lancaster Town Supervisor execute such "Approval of Purchase" on behalf of the Town Board.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

January 3, 2005

File: rbowmansvilleborrowing2004

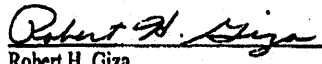
**APPROVAL OF PURCHASE BY  
ELECTED REPRESENTATIVE OF POLITICAL  
SUBDIVISION CONTRACTING FOR FIREFIGHTING SERVICES**

I, Robert H. Giza, Supervisor of the Town of Lancaster in accordance with the requirements of sections 130 and related sections of, and regulations under, of the Internal Revenue Code, and in reliance upon certain recommendations and other information submitted to me, and subsequent to a duly conducted public hearing concerning the matter, do hereby approve borrowing and the issuance of an obligation evidencing such indebtedness by the Bowmansville Volunteer Fire Association, Inc. to M&T Bank in the amount of \$490,000.00 for the refinancing of the firehouse facility located at 36 Main Street, Bowmansville, Lancaster, New York.

The proposed mortgage is of the firehouse facility located at 36 Main Street, Bowmansville, New York, which is used for the housing and storage of firefighting apparatus, vehicles and related equipment as well as for training, administrative and related facilities in order to render fire protection service to a portion of the Town of Lancaster pursuant to a contract dated March 21, 2001 between Bowmansville Volunteer Fire Association Inc. and the Town of Lancaster. The obligation with respect to the facility is in the maximum face amount of \$490,000.00. The Bowmansville Volunteer Fire Association, Inc. is the owner, operator and manager of the fire station facility described herein.

Execution of this document in no way creates liability on the part of the Town of Lancaster and the Town of Lancaster is not responsible for the repayment of any bonds issued pursuant thereto.

DATED: January 3, 2005

  
Robert H. Giza  
Supervisor  
Town of Lancaster



THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER STEMPNIAK, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER MONTOUR, TO WIT:

**WHEREAS**, the Municipal Home Rule Law of the State of New York and Chapter 26 of the Code of the Town of Lancaster provide for the adoption and enactment of local laws, and

**WHEREAS**, a proposed Local Law of the Year 2005 entitled "FLOODPLAIN MAP REVISION" which will amend the Code of the Town of Lancaster by adding Section 21.6 (A) (3) to Chapter 21 "Floodplains", Article III, "General Provisions", Section 21-6., was introduced to the Town Board of the Town of Lancaster on the 20<sup>th</sup> day of December, 2004, and

**WHEREAS**, a Public Hearing was duly called and held pursuant to law on January 3, 2005.

**NOW, THEREFORE, BE IT**

**ENACTED**, by the Town Board of the Town of Lancaster, Local Law No. 1 of the Year 2005, entitled "FLOODPLAIN MAP REVISION" which will amend the Code of the Town of Lancaster by adding Section 21.6 (A) (3) to Chapter 21 "Floodplains", Article III, Section 21.6, which reads as follows:

**Chapter 21**

**FLOODPLAINS**

**ARTICLE III, General Provisions**

**Section 21-6. Basis for establishing areas of special flood hazard.**

**Local Law No. 1  
Of the Year 2005**

**A LOCAL LAW OF THE YEAR 2005 ENTITLED "FLOODPLAIN MAP REVISION", WHICH WILL ADOPT A FLOOD PLAIN MAP REVISION PROMULGATED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA), TO AMEND THE CODE OF THE TOWN OF LANCASTER BY ADDING SECTION 21-6 (A) (3) TO CHAPTER 21, "FLOODPLAINS" ARTICLE III, SECTION 21-6., AND**

**BE IT ENACTED**, by the Town Board of the Town of Lancaster, New York as follows:

The Code of the Town of Lancaster is hereby amended by enacting the Local Law of the Year 2005 entitled "Floodplain Map Revision" which adds Section 21-6 (A) (3) to Chapter 21, "Floodplains", Article III, "General Provisions", Section 21-6. of the Town Code which reads as follows:

**§21-6. Basis for establishing areas of special flood hazard.**

A. The areas of special flood hazard are identified and defined on the following documents prepared by the Federal Emergency Management Agency:

(1) .....

(3) LOMR effective May 17, 2005, FEMA case number 04-02-019P, revising FIRM panels 0007C, 0008C.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Town Clerk of the Town of Lancaster shall:

1. Immediately post a copy of Local Law No. 1 of the Year 2005 on the Town Bulletin Board.
2. Within ten (10) days publish a certified copy of the Local Law abstract thereof describing the same in general terms in the Lancaster Bee, declared the official newspaper for this publication.
3. Maintain a file in the Town Clerk's office on Local Law No. 1 of the Year 2005, with all the proofs of publication and posting required for adoption.

4. File certified copies of Local Law No. 1 of the Year 2005 within ten (10) days of adoption with:

- a) Town Clerk's office
- b) One (1) copy with the office of the Secretary of State

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

January 3, 2005

**LEGAL NOTICE  
NOTICE OF ADOPTION  
LOCAL LAW NO. 1 OF THE YEAR 2005  
TOWN OF LANCASTER**

**PLEASE TAKE NOTICE** that there has been adopted by the Town Board of the Town of Lancaster, Erie County, New York, on January 3, 2005, Local Law No. 1 of the Year 2005, entitled "Floodplain Map Revision" which adds Section 21-6 (A) (3) to Chapter 21 "Floodplains" Article III, Section 21-6. of the Code of the said Town, briefly described as follows:

**"A LOCAL LAW WHICH WILL ADOPT A FLOOD PLAIN MAP  
REVISION PROMULATED BY THE FEDERAL EMERGENCY  
MANAGEMENT AGENCY (FEMA)"**

**TOWN BOARD OF THE  
TOWN OF LANCASTER**

**By: JOHANNA M. COLEMAN  
Town Clerk**

January 3, 2005

File: rlocallawfloodplainsamended1204a

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER MONTOUR, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER RUFFINO, TO WIT:

**WHEREAS**, the Executive Director of the Youth Bureau, by letter dated December 29, 2004, has recommended the appointment of an individual to the position of regular part time Tutor with the Youth Bureau of the Town of Lancaster.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the following individual is hereby appointed to the position of regular part time Tutor in the Town of Lancaster Youth Bureau, effective immediately, and that this appointment, being a part time position, provides no health insurance, sick days, vacation or other fringe benefits not specifically mandated for part time employees:

<u>NAME</u>	<u>RATE</u>
Linda Aures 7555 Ellicott Road West Falls, New York 14170	\$15.00 hr.

**BE IT FURTHER**

**RESOLVED**, that the Supervisor of the Town of Lancaster take the necessary action with the Personnel Officer of the County of Erie to accomplish the foregoing.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

January 3, 2005

File: Rpers tutor (P1)

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER STEMPNIAK WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER RUFFINO, TO WIT:

**WHEREAS, Greg Zyga & Marietta Cimato Zyga, 8300 Greiner Road, Williamsville, New York 14221, have petitioned the Town Board of the Town of Lancaster for the rezone of certain property on 5692 Broadway in the said Town from a Residential Commercial Office District (RCO) and Residential District One (R-1) to a Multi-Family District Three (MFR-3), and**

**WHEREAS, the petition has been referred to the Planning Board of the Town of Lancaster for review and recommendation and the Planning Board has recommended a denial of the zoning change, and**

**WHEREAS, a Public Hearing on the petition for the proposed rezone was held by the Town Board of the Town of Lancaster on the 20th day of December, 2004, pursuant to Notice duly published and posted, and**

**WHEREAS, full opportunity to be heard was given to all parties in interest, and**

**WHEREAS, after a review of the petition and the recommendation of the Planning Board and after consideration of the evidence adduced at said public hearing and further considering the Master Plan and Zoning Map of the Town of Lancaster, the following findings are made:**

1. A portion of the subject premises zoned Residential Commercial Office (RCO) has previously had constructed on it a four unit multiple dwelling which was not in conformance with the RCO zoning that was in place at the time of construction, the multiple dwelling therefore having been permitted in error by the Town and which use is now deemed to be a non-conforming use in the RCO zoning.

2. That the immediate neighborhood surrounding this property is zoned RCO to the depth of 300' from the center line of Broadway but is developed principally as single family residences.

3. That there are a number of uses permitted in the RCO district other than single family residential but multiple family dwellings such as proposed are not so permitted in that zoning classification.

4. That a zoning change for the subject premises as petitioned from Residential Commercial Office (RCO) and Residential District One (R-1) would benefit the property owner but there has been no demonstration that it would benefit the community as a whole and is therefore in the nature of spot zoning.

5. That the denial of the zoning change does not render the property unusable as it can still be developed for any of the uses permitted in Residential Commercial Office District (RCO) and Residential District One (R-1).

**NOW, THEREFORE, BE IT**

**RESOLVED**, that based upon the testimony and evidence presented at the Public Hearing and based upon the foregoing findings, the Petition of Greg Zygaj & Marietta Cimuto Zygaj, be and hereby is denied.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

January 3, 2005

File: rphrezone5692broadwaytwofourplexunits904

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO MOVED ITS  
ADOPTION, SECONDED BY COUNCIL  
MEMBER STEMPNIAK, TO WIT:

**RESOLVED**, that the following Audited Claims be and are hereby ordered paid from  
their respective accounts as per abstract to be filed in the Office of the Town Clerk by the Director  
of Administration and Finance, to wit:

Claim No. 12906 to Claim No. 13095 Inclusive

Total amount hereby authorized to be paid: \$799,262.08

The question of the foregoing resolution was duly put to a vote on roll call which  
resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

January 3, 2005

File: Relaims



THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER STEMPNIAK, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER MONTOUR, TO WIT:

**RESOLVED** that the following Building Permit applications be and are hereby  
reaffirmed:

**CODES:**

(SW) = Sidewalks as required by Chapter 12-1B. of the Code of the Town Lancaster are  
waived for this permit.

(CSW) = Conditional sidewalk waiver.

(V/L) = Village of Lancaster

**NEW PERMITS:**

12519	Sealing Devices Inc	4380 Walden Ave	Er. Comm. Alt.
12520	Lancaster Home Improv.	291 Seneca Pl	Er. Res. Alt.
12521	W F B Enterprises Inc	634 Columbia Ave	Er. Dwlg.-Sin.
12522	J. M. Richardson	721 Aurora St	Er. Dwlg.-Sin.
12523	City Fences Inc	10 Overton Ct	Er. Fence
12524	Jim's Electric	6615 Transit Rd	Er. Comm. Add.
12525 SW	Jankowiak, Linda	1339 Ransom Rd	Er. Dwlg.-Sin.

**BE IT FURTHER**

**RESOLVED**, that the Building Permit Applications herein coded (SW) for  
sidewalk waiver be and are hereby reaffirmed with a waiver of the Town Ordinance requirement  
for sidewalks, and

**BE IT FURTHER**

**RESOLVED**, that the Building Permit Applications herein coded (CSW) for  
conditional sidewalk waiver be and are hereby reaffirmed with a waiver of the Town Ordinance  
required for sidewalks, however, the waiver is granted upon the expressed condition that the  
Town of Lancaster, at any future date, reserves the right to order sidewalk installation at the  
expense of the property owner.

The question of the adoption of the following resolution was duly put to a vote on  
roll call which resulted as follows

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

January 3, 2005

File: Rbldg2

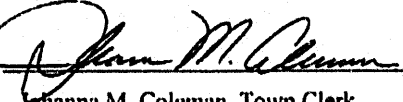
## COMMUNICATIONS & REPORTS:

1. Erie County Department of Environment & Planning to Town Clerk -  
Recommendations regarding rezone request for 5692 Broadway. DISPOSITION = Planning Committee
2. Eden Town Clerk to Various NYS Legislators -  
Transmittal of resolution adopted by the Eden Town Board with a request for Lancaster's support. DISPOSITION = Received & Filed
3. Erie County Office of Veterans' Services to Town Board -  
Enclosure of a resolution in support of the creation of a veterans cemetery in Western New York. DISPOSITION = Received & Filed
4. Town of Pembroke Supervisor to Town of Lancaster Supervisor -  
Request support at the Association of Towns Meeting in February for a resolution urging New York State Legislators to reform Medicaid. DISPOSITION = Supervisor, Received & Filed
5. Planning Board Vice-Chairperson to Planning Board, Town Board, Town Engineer, Town Attorney, Highway Superintendent, Building Inspector -  
Draft copy of Planning Board minutes of meeting held December 15, 2004. DISPOSITION = Received & Filed
6. Planning Board to Town Board -  
Recommend approval of Preliminary Plat, Country Club Gardens Subdivision, west side of Broadway, east side of Pavement Road; conditions noted DISPOSITION = Planning Committee
7. Planning Board to Town Board -  
Recommend adjournment to January 19, 2005 Planning Board meeting of Preliminary Plat review of Windsor Ridge South Subdivision, west side of Bowen Road between Hall Road and Brunck Road. DISPOSITION = Planning Committee
8. Planning Board to Town Board -  
Recommend approval of Preliminary Plat, Nicholas Heights Subdivision, south side of William Street; conditions noted. DISPOSITION = Planning Committee
9. Planning Board to Town Board -  
Recommend approval of Preliminary Plat, Cross Creek Subdivision, north side of Pleasantview Drive, west side of Pavement Road; conditions noted. DISPOSITION = Planning Committee
10. Bowmansville VFA to Town Board -  
Request for change in roster. DISPOSITION = Resolution 1/3/05
11. Alden Town Clerk to Supervisor -  
Transmittal of resolution demanding New York State provide Medicaid reform. DISPOSITION = Received & Filed
12. The Association of Towns of NYS to Supervisor -  
Notice that the governor has repealed justice court vehicle and traffic fine distribution provisions which were enacted in the 2004/2005 State Budget. DISPOSITION = Received & Filed
13. Town of Elma to Town Board -  
Transmittal of resolution demanding New York State provide Medicaid reform. DISPOSITION = Received & Filed
14. Assessor to Town Board -  
Request resolution to appointment James Juliano as Real Property Appraiser - Provisional and Valerie Banach as Clerk, Part-time - Seasonal. DISPOSITION = Resolution 1/3/05

15. Stanley Jay Keysa to Michael Drechsel -  
Letter explaining history of the seal of the Town of Lancaster. DISPOSITION =  
Received & Filed
16. Erie County Department of Environment & Planning to Town Attorney -  
Recommendations and comments regarding Lead Agency designation and Preliminary  
Plat review for proposed Windsor Ridge South Subdivision. DISPOSITION = Planning  
Committee
17. Village of Lancaster to Town Board -  
Minutes of meeting held December 13, 2004. DISPOSITION = Received & Filed

**ADJOURNMENT:**

**ON MOTION OF COUNCIL MEMBER MONTOUR, SECONDED BY COUNCIL  
MEMBER AMATURA AND CARRIED, the meeting was adjourned at 8:53 P.M.**

Signed   
Johanna M. Coleman, Town Clerk